

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.13-20453

JOHN S. BENCHICK,

Defendant.

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**ORDER DENYING MOTION TO STAY PROCEEDINGS PENDING APPEAL**

On August 21, 2014, the court issued an Opinion and Order denying Defendant John S. Benchik's Motion for Discovery. (Dkt. # 28.) Thereafter, Defendant appealed the court's order and filed a Motion to Stay Proceedings Pending Appeal. (Dkt. # 31.) On September 21, 2014, the court entered an order, pursuant to a stipulation and agreement between the parties, adjourning the final pre-trial and trial dates. (Dkt. # 34.) The motion cut-off date was extended to May 22, 2014, the final pre-trial conference and plea cut-off date was extended until June 16, 2015 at 2:00 pm, and the trial was adjourned until June 29, 2015 at 9:00 am. (*Id.* at 196.) On November 18, 2014, the Sixth Circuit dismissed Defendant's appeal for lack of jurisdiction. (Dkt. # 37.) Accordingly,

IT IS ORDERED that the Motion to Stay Proceedings Pending Appeal (Dkt. # 31) is DENIED as moot.

s/ Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: January 23, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 23, 2015, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522